

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EPIC GAMES, INC.,
Plaintiff,

v.

APPLE INC.,
Defendant.

Case No. 20-cv-05640-YGR (TSH)

DISCOVERY ORDER

Re: Dkt. Nos. 1134, 1137

Epic and Apple have filed objections to certain of the Special Masters' rulings. ECF Nos. 1134, 1137. As the Court explained at the January 31, 2025 hearing, the parties have filed so many objections to the Special Masters' rulings that it is no longer feasible for the Court to write a reasoned order explaining its basis for sustaining or overruling each objection. Accordingly, the Court just states what its orders are.

A. ECF No. 1134 (Epic's Objections)

Epic's objections are **SUSTAINED** for the following entries: 601, 638, 639, 403.

Epic's objections are **OVERRULED** for the following entries: 703, 704, 517, 518, 572, 573, 574, 575, 576, 577, 395, 396, 3188.

Apple agrees to produce Entry 3132 and Entry 1588 (including its attachments) without redaction, mooted those disputes.

Apple agrees to produce Entry 3403 with the same redactions as Exhibit F. Epic shall file a notice by February 4, 2025 if this does not resolve this dispute.

B. ECF No. 1137 (Apple's Objections)

Apple's objections are **SUSTAINED** for the following entries: 459, 3263, 3883, 1644, 1645.

Apple's objections are **OVERRULED** for the following entries: 3496, 1643, 1760, 3045, 3095, 3098, 3158, 3160, 3183, 2995, 3006, 3380, 3399, 3405, 3016, 3103, 3318, 3358, 3360, 3334, 3105, 3215, 3218, 3224, 3248, 3249, 3251, 3252, 482, 483, 1775, 486, 3042, 3048, 1636, 2943, 2947, 2951, 2965, 2977, 2981, 3004, 3008, 3052, 3124, 3349, 3350, 3351, 3374, 3463, 3114, 3115, 3988.

For Entry 3281, Epic states that the Special Master upheld all of Apple's privilege redactions but one. Apple's objection makes it sound like the Special Master overruled all of Apple's redactions. The Court **ORDERS** Apple to file a statement by February 4, 2025 stating what the Special Master ruled and to clarify what it is objecting to.

For Entries 2929, 2933, 2939 and 3221, Apple did not provide the documents for in camera review. Instead Apple provided a slip sheet stating that the document was produced in native format. The Court **ORDERS** Apple to provide these documents for in camera review by February 4, 2025.

Epic states that Apple's objection concerning Entry 3494 is moot, as the Special Master reversed his rejection of Apple's claim of privilege. If Apple does not think its objection is moot, it shall file a notice by February 4, 2025 so stating and explaining its view.

The Court **REMANDS** Entries 3480 and 3486 to the Special Master to clarify his rulings.

IT IS SO ORDERED.

Dated: January 31, 2025


THOMAS S. HIXSON
United States Magistrate Judge